

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
UNITED STATES OF AMERICA,	:	
	:	
v.	:	22-CR-84 (VSB)
	:	
ALBERT OSCAR BARRIENTO	:	
ALMANZAR	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
-----X	:	
<u>VERNON S. BRODERICK, United States District Judge:</u>		

On March 25, 2024, Defendant Albert Oscar Barriento Almanzar was sentenced principally to a term of imprisonment of 84 months.

On September 26, 2024, the defendant filed a motion requesting that this court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendment, which went into effect on November 1, 2023 and applies retroactively. (Doc. 96.) The United States Probation Department has issued a report indicating that the defendant is not eligible for a sentence reduction. (Sealed Doc. 97.) On February 19, 2025, the defendant filed a second motion seeking a sentence reduction pursuant to Amendment 821. (Doc. 98.)

It is hereby ORDERED that defendant is ineligible for this reduction because the guideline amendments do not change the defendant's total Offense Level or Criminal History Category. Defendant's motion is therefore DENIED. The Clerk of Court is respectfully directed to terminate the motions pending at Docs. 96 and 98, and to mail a copy of this Order to the defendant (Reg. No. 78551-509) at FCI Oakdale II, Federal Correctional Institution, P.O. Box 5010, Oakdale, LA 71463.

SO ORDERED.

Dated: April 17, 2025
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, slightly stylized font. The first name "Vernon" is written with a large, looping 'V' and the last name "Broderick" follows in a similar cursive style.

Vernon S. Broderick
United States District Judge